MOOT PROBLEM

IN THE HON'BLE SUPREME COURT OF XENIA

CASE TITLE: Alex Matthew v. The State of Xenia & Others

BACKGROUND FACTS:

The Republic of Xenia is a democratic country with a written constitution. Alex Matthew, a 28-year-old entrepreneur, entered into a contract with Zenith Tech Pvt. Ltd. ("Zenith"), a leading technology company in Xenia, for the supply of customized software for his start-up. The contract was signed on March 1, 2024, with a delivery deadline of May 1, 2024. However, Zenith failed to deliver the software on time, citing unforeseen technical challenges, which led to Alex suffering a significant financial loss and missing an important business deal.

On May 10, 2024, frustrated with the delay, Alex decided to hold a peaceful protest outside the office of Zenith. During the protest, local police, citing law and order concerns, forcibly dispersed the demonstrators using tear gas and arrested Alex under the Public Order and Safety Act, 2020. He was detained for three days without being presented before a magistrate. The arrest was widely criticized by civil rights organizations.

While in custody, Alex was subjected to excessive force, sustaining serious injuries. He was released on bail, and he subsequently filed a suit against the police department for unlawful detention and use of excessive force.

Furthermore, in the aftermath of the protest, Zenith filed a countersuit against Alex, alleging defamation and breach of contract, claiming that his public accusations caused reputational damage to the company and affected their business relations.

LEGAL ISSUES:

1. Whether the actions of the police in using force and detaining Alex without following due process constitute false imprisonment and police brutality.

b)Whether Alex can claim damages for the physical injuries suffered while in custody.

2. Whether Zenith Tech Pvt. Ltd. is liable for breach of contract by failing to deliver the software on time.

b)Whether Alex's public statements about Zenith constitute defamation and breach of contract terms, if any, concerning non-disparagement clauses.

3. Whether Alex's fundamental rights under the Constitution of Xenia, particularly the right to freedom of speech and expression, and the right to protest, were violated by the actions of the police.

b)Whether the Public Order and Safety Act, 2020, under which Alex was arrested, is unconstitutional for being violative of fundamental rights.

MOOT COURT PROCEEDINGS:

Participants will argue on behalf of the Petitioner (Alex Matthew), Respondents (State of Xenia & Zenith Tech Pvt. Ltd.), and Intervenors (if any) based on the legal issues outlined above.

Note: The laws applicable will be based on the laws of India

MOOT COURT GUIDELINES

1. Written Submission Guidelines- 15 Marks

- Each team must submit one copy of their written memorials (either for the Petitioner and or for the Respondent whatever they have been assigned during draw of lots).
- Submissions must be in **Times New Roman, font size 12, with 1.5 line spacing**.
- The document must follow **Bluebook (21st edition) citation format**.
- The page limit is 20, including the cover page and annexures.
- The cover page must include:

  1) Name of the Court

  2)Name of the Case

  3)Side Represented (Petitioner/Respondent)

- Team Code (No mention of university name or personal details)
- In the last page of memorial (mention the member's name & issue no dealt with section you belong to)
- Moot will be conducted in English.

2. Oral Submission Guidelines- 15 Marks

- Time Allotment: Each team will have 12 minutes (5 minutes per speaker). A maximum of 2 minutes may be reserved for rebuttal/sur-rebuttal.
- Teams must introduce themselves only by team code.

- Each Team will be judged on given parameters but marking will be done individually for oral submissions based on how you presented your arguments.

1)Legal knowledge & application -5 Marks

2)Courtroom manner & demeanor -2 Marks

3)Structure & organization of arguments -5 Marks

4)Ability to answer judges' questions -3 Marks

- **The oral presentation must be for 10 minutes, each team comprising of team members of r two . Each team should allocate equal time two their team members**

3. Marking Criteria for Memorials- 15 Marks

- ✓ **Knowledge & understanding of law: 5 Marks**
- ✓ **Clarity & logical structure, Quality of Research: 5 Marks**
- ✓ **Formatting & compliance with citation standards: 5 Marks**

4. Rules for Submission

Soft copies must be emailed in PDF format by **12th March 2025, 11:59 PM IST.**

Hard copies must be submitted during the orals at the respective classroom.

Oral Arguments will begin from 20th March 2025

5. Rules for Arguments

The Petitioner shall argue first, followed by the Respondent.

Each speaker must argue at least one major issue.

A speaker cannot take more than 5 minutes, each .

Any use of derogatory language or non-compliance with rules will result in negative marking or disqualification.

Submission Contact:

All memorials should be uploaded in folder shared with the subject line: "[Team Code] – MCTA Spring Section- Team Member - Moot Memorial Submission".

Also email the submission to at- tbhushan@jgu.edu.in with subject line -Name of team code- MCTA Spring-section-team member names-petitioner/respondent-Moot Memorial Submission.

For further clarifications, participants may reach out to the class Representative.